

Senate Study Bill 3093

SENATE FILE _____
BY (PROPOSED COMMITTEE ON JUDICIARY
BILL BY CO=CHAIRPERSONS KREIMAN
AND MILLER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the payment of costs of reasonable attorney
2 fees and other expenses related to certain paternity and
3 adoption proceedings.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5233SC 81
6 pf/sh/8

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1 1 Section 1. NEW SECTION. 600B.26 PAYMENT OF ATTORNEY
1 2 FEES.
1 3 In a proceeding to determine custody or visitation, or to
1 4 modify a paternity, custody, or visitation order under this
1 5 chapter, the court may award the prevailing party reasonable
1 6 attorney fees.
1 7 Sec. 2. 2004 Iowa Acts, chapter 1175, section 139,
1 8 subsection 1, paragraph b, is amended to read as follows:
1 9 b. The general limitation on attorney fees under the
1 10 program shall be \$500 per recipient. However, up to an
1 11 additional \$200 may be allowed for reasonable court costs and
1 12 other related legal expenses.

1 13 EXPLANATION

1 14 This bill relates to the awarding and allowance of attorney
1 15 fees and other expenses related to proceedings involving
1 16 establishment of paternity, determination of custody and
1 17 visitation, and modifications of the orders relating to these
1 18 proceedings and those expenses related to the adoption subsidy
1 19 program. The bill provides that in addition to the existing
1 20 provision which allows for the awarding of the reasonable
1 21 costs of the suit, including reasonable attorney fees, to the
1 22 prevailing party in a proceeding to establish paternity, in a
1 23 proceeding to determine custody or visitation, or to modify a
1 24 paternity, custody, or visitation order under the chapter
1 25 relating to paternity and obligation for support, the court
1 26 may award the prevailing party reasonable attorney fees.
1 27 The bill also provides that under the adoption subsidy
1 28 program, in addition to the existing provision which allows
1 29 for the payment of reasonable attorney fees up to \$500, up to
1 30 an additional \$200 would be allowed for the payment of
1 31 reasonable court costs and other related legal expenses.
1 32 LSB 5233SC 81
1 33 pf:nh/sh/8